

HOUSE BILL REPORT

HJM 4029

*As Passed House
February 18, 1992*

Brief Description: Requesting the United States secretary of transportation adopt rules requiring a rear of train emergency braking telemetry system.

Sponsor(s): Representatives R. Fisher, Day and Orr.

Brief History:

Reported by House Committee on:
Transportation, February 6, 1992, DP;
Passed House, February 18, 1992, 98-0.

**HOUSE COMMITTEE ON
TRANSPORTATION**

Majority Report: *Do pass.* Signed by 25 members:
Representatives R. Fisher, Chair; R. Meyers, Vice Chair;
Betrozoff, Ranking Minority Member; Chandler, Assistant
Ranking Minority Member; Basich; Brough; Cantwell; Cooper;
Day; G. Fisher; Forner; Haugen; Heavey; Horn; P. Johnson;
R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice;
Prince; Wood; and Zellinsky.

Staff: Jeff Doyle (786-7322).

Background: Under federal law, railroads are permitted to operate trains during daylight hours without the use of a caboos or flashing rear-end device. While the Federal Railroad Administration has provided guidelines for trains choosing to operate without a caboos, it has not yet adopted regulations that set standards for caboosless train operations.

One advantage to operating trains with a caboos is that an additional crew member in the caboos can provide rear-of-train braking in the event air brake pressure is lost in the main locomotive cab.

A telemetry device, also called an "end of train" (EOT) device, operates in lieu of cabooses and allows the engineer to initiate an emergency braking application in the rear of the train while remaining in the front locomotive. These types of systems are often used by railroads (although not

required by federal law), and are required equipment for caboosless trains travelling in Canada.

Since federal law concerning railroads preempts state regulations, only rulemaking procedures at the federal level can require that rear-of-train emergency braking telemetry systems be used on caboosless trains.

Summary of Bill: The United States Secretary of Transportation is requested to initiate the rule-making process for the purpose of establishing federal regulations requiring rear-of-train emergency braking telemetry systems for trains operating without cabooses.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: There have been four train derailments in the last five years in the Northwest that might have been prevented if two-way, end-of-train emergency braking telemetry devices were in place.

Testimony Against: None.

Witnesses: Dale Jeremiah, Brotherhood of Locomotive Engineers (pro); Tom Retterath, United Transportation Union (pro); and Pat Halstead, Burlington Northern and Union Pacific Railroads (neutral).